

REMARKS

The Office examined claims 1-18 and rejected claims 1-3, 5, 7, 10-12, 14 and 16. With this paper, claims 1-18 remain in the application.

Information Disclosure Statement and Preliminary Amendment

An IDS was previously filed with the Office disclosing an International Search Report in the corresponding International Application PCT/IB01/01950. In the International Preliminary Examination of same, new references were cited, of which U.S. Pat. No. 5,502,713 to Lagerqvist et al. was used to assert that claims 1 and 10 lacked novelty, and U.S. Pat. No. 6,122,607 to Ekudden et al. was used in combination with Lagerqvist to assert that others of the claims were obvious. (A third reference, Bistrantz et al., Immittance spectral pairs (ISP) for speech coding; 1993 IEEE International Conference on Acoustics, Speech, and Signal Processing, 27-30 April 1993, vol. 2, page II-9 to II-12, was not applied, but was disclosed in this matter in an IDS filed 28 June 2002.) The Lagerqvist reference was noted in a preliminary amendment filed in this matter on 3 Feb. 2004, but applicant's attorney sees from the PAIR system that the preliminary amendment was not yet matched with the file.

This paper assumes that the preliminary amendment is entered. Also, a supplementary IDS disclosing the two previously undisclosed references newly cited in the IPER (i.e. Lagerqvist and Ekudden) was mailed on 17 March 2004, along with the required fee.

Rejections under 35 USC §102

At page 2 of the Office action, claims 1-3, 5, 7, 10-12, 14 and 16 are rejected under 35 USC §102(a) as being anticipated by Grant (WO 99/66494).

At page 10, line 13 of the application, it is explained that according to the invention, "an analyzer determines the spectral parameter concealment in case of a bad frame based on the history of previously received speech parameters." The present invention can thus be characterized as using *extrapolation*. In contrast, Grant teaches using *interpolation* to determine spectral parameters for a missing frame, i.e. Grant teaches using not only speech parameters for frames received previous to a missing frame, but also speech parameters received for a frame received subsequent to the missing frame (i.e. Grant teaches using "previous" and "future" frames). See e.g. page 7, lines 27-28, and the collateral description beginning at page 6, line 19. With this paper, claims 1 and 10 are amended to more distinctly claim the invention in respect to its use of extrapolation, as opposed to interpolation.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 be reconsidered and withdrawn.

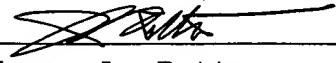
Conclusion

For all the foregoing reasons it is believed that all of the claims of the application are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

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